

Message Text

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ORIGIN EB-08

INFO OCT-01 EUR-12 EA-10 ISO-00 COME-00 JUSE-00 L-03

CIAE-00 INR-07 NSAE-00 /041 R

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EA/J:H COCHRAN (INFO)

L/EB:S BENSON (INFO)

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R 232144Z JAN 78

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

AMEMBASSY TOKYO

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E.O. 11652:N/A

TAGS: ETRD, UK, JA

SUBJECT: ANTITRUST: FOREIGN LICENSING ARRANGEMENTS OF
PULLMAN SWINDELL, CO.

1. DEPARTMENT HAS BEEN INFORMED BY DEPARTMENT OF
JUSTICE (DOJ) THAT QUOTE THE ANTITRUST DIVISION IS
CURRENTLY INVESTIGATING POSSIBLE MARKET ALLOCATION, SUB-
LICENSING RESTRICTIONS, AND OTHER ANTI-COMPETITIVE PRAC-
TICES IN THE FOREIGN LICENSING ARRANGEMENTS OF PULLMAN
SWINDELL COMPANY (SWINDELL), AN AMERICAN FIRM. THE
LICENSES IN QUESTION CONCERN SWINDELL'S INDUSTRIAL
HEATING EQUIPMENT 'KNOW-HOW' UNQUOTE.

2. QUOTE PURSUANT TO THIS INVESTIGATION, THE DIVISION
PROPOSES TO SEND LETTERS OF INQUIRY TO THREE OF SWINDELL'S
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FOREIGN LICENSEES. THESE LICENSEES ARE:

NIPPON-KOKAN K.K. (JAPAN)

ROSAI KOGYO KAISHA, LTD. (JAPAN)

ASHMORE, BENSON, PEASE AND COMPANY LTD. (UNITED
KINGDOM). UNQUOTE.

3. QUOTE THE LETTERS OF INQUIRY WILL REQUEST INFORMATION REGARDING THESE FIRMS' LICENSING ARRANGEMENTS WITH SWINDELL, ESPECIALLY ANY RESTRICTIONS ON THEIR FREEDOM TO LICENSES. UNQUOTE. DEPARTMENT UNDERSTANDS THAT THE LETTERS OF INQUIRY WOULD BE VOLUNTARY.

4. ADDRESSES ARE REQUESTED TO INFORM HOST GOVERNMENTS OF THIS INVESTIGATION UNDER PROVISIONS OF THE OECD 1967 RECOMMENDATION CONCERNING NOTIFICATION OF RESTRICTIVE BUSINESS PRACTICE ACTIONS INVOLVING MEMBER STATES. HOST GOVERNMENTS ARE REQUESTED NOT TO NOTIFY THE AFFECTED FIRMS BEFORE THE COMPANIES HAVE HAD TIME TO RECEIVE THE LETTERS, APPROXIMATELY TWO WEEKS.

5. FOR LONDON: BRITISH EMBASSY HAS ALREADY BEEN INFORMED OF THE CONTENTS OF DOJ LETTER. DOJ SHOULD LIKE TO SEND THE PROPOSED LETTER OF INQUIRY TO THE BRITISH FIRM ON FEBRUARY 2 AND WILL DO SO UNLESS ANY COMMENTS ARE RECEIVED IN THE MEANTIME. VANCE

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ANTITRUST, EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 23 jan 1978
Decapton Date: 01 jan 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE017733
Document Source: CORE
Document Unique ID: 00
Drafter: T A SCHLENKER:BT
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780035-0059
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780133/aaaabblf.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 35f824e1-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3729639
Secure: OPEN
Status: NATIVE
Subject: ANTITRUST: FOREIGN LICENSING ARRANGEMENTS OF PULLMAN SWINDELL, CO.
TAGS: ETRD, UK, JA, PULLMAN SWINDELL CO
To: LONDON TOKYO
Type: TE
vdkgvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/35f824e1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014